

United States District Court
Northern District of Illinois
Eastern Division

FILED TDM

APR 25 2016

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

DARREN L. HOPKINS
Plaintiff
v.

CASE No. 15 CV 410

Cook County Sheriff
Thomas Dart, et al.

Honorable Judge S. Dee-Yehingyan

Motion For Judgement by Default

Now Comes Plaintiff DARREN L. HOPKINS and Request Pursuant to Rule 35 (b)(1) of the Federal Rules of Civil Procedure for entry of a Judgement by Default against the Defendants. In Support of this Request Plaintiff DARREN L. HOPKINS relies upon the Record in this Case and the Affidavit submitted herein. In further Support of Plaintiff's Request:

1. On February 10 2016, an order was issued that a Status Hearing would be held on June 30 2016 at 9:00 AM. Defendant's Motion for leave to file his Motion to Dismiss Instantly is granted. Plaintiff is given until 3/30/16 to file his Response.
2. On February 23, 2016 Plaintiff filed his Objections to Motion to Dismiss, by way of "Motion for leave to file Amended Complaint," through the U.S. Mail to the following Parties: Thomas G. Bruton - U.S. Clerk, and Patrick Russell Assistant States Attorney.
3. Defendant was given until April 13, 2016 to file his Reply.

4. His Failure to do so, is in violation of Order which was given on February 10, 2016.

5. He Neither Acknowledged the Court or Plaintiff for an extension on behalf of the Defendant.

6. Therefore the Plaintiff seeks order of Judgment by default.

7. The Plaintiff further States that on April 3, 2015 for Case No. 15C412, and on February 25, 2015 for Case No. 14C966. The Court Dismissed both Cases for Failure to pay Filing Fees, even though the Plaintiff had previously filed Affidavits to have those Fees waived. The Plaintiff wasn't even notified that those Cases were dismissed.

8. The Plaintiff believes He was shown no leniency. Since the Defendant Failed to respond to Plaintiff's objections (Motions for leave to file Amended Complaint), the Defendant therefore should also be penalized.

9. Therefore, Favor should be shown to the Plaintiff, having met and complied with all of the preceding Orders.

Wherefore, Plaintiff moves that this Court make and enter a Judgment that the same as prayer for relief in Complaint is granted by default on behalf of Defendant.

April 21, 2016

Respectfully Submitted
Daren H. Hopkins

Certificate of Service

I DAREN H. HOPKINS CERTIFY THAT I SENT THROUGH THE U.S.P.S. A COPY OF THE ATTACHED MOTION FOR JUDGMENT BY DEFAULT BY PLACING SAME IN AN ENVELOPE ADDRESSED TO PATRICK RUSSEL A.S.A., COOK COUNTY STATE'S ATTORNEY OFFICE, 500 RICHARD J. DALEY CENTER, CHICAGO, IL 60607 SAID ENVELOPE WAS PLACED IN THE MAILBOX AT DIXON CORRECTIONAL CENTER ON 4/21/16 WITH POSTAGE FULLY PREPAID

Under Penalty of Perjury All of the foregoing IS TRUE.

Notary Public

Daren Hopkins A.K.A
s/s Daren H. Hopkins

Subscribed and Sworn to before me
this 21st day of April, 20 16.

Sally A. Joos
Notary Public

